

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

UNITED STATES OF AMERICA

v.

ACTION NO. 2:06mj218

STANLEY HEYWARD,
Defendant.

O R D E R

_____ In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. The Court concludes that the following facts require the detention of the defendant pending trial in this case.

The Court FINDS that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that the defendant applied for a U. S. Passport using a false social security number, date of birth, and name.

The defendant claims to be living and employed in Atlanta, Georgia. He cannot return to his residence in Georgia because he has not paid the rent. Pretrial Services was not able to verify the defendant's employment in Atlanta. The defendant has no income or liabilities and limited assets.

The defendant was convicted in 1996 of a federal drug conspiracy and money laundering in this court. In 1998 he was found guilty of accessory after the fact to murder in the Norfolk court system.

In February 2001 the defendant was indicted on drug charges in Norfolk, Virginia. He was

not arrested on those charges until September, 8, 2006. Therefore he was under indictment at the time of the commission of the crime in this case.

The Court FINDS that because of the the strength of the evidence against him that there is a strong likelihood that the defendant will not appear for trial under any conditions of release.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

The Clerk shall mail or deliver a copy of this Order to the United States Attorney at Norfolk, to the United States Marshal at Norfolk, to the United States Pretrial Services Office at Norfolk, and to counsel of record for the defendant.

UNITED STATES MAGISTRATE JUDGE

Norfolk, Virginia

October 4, 2006